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| 10/713,939 | 11/13/2003 | Samuel Zellner | 030392 (BLL-0126) | 4821 |
| 36192 | 7590 | 11/26/2008 | EXAMINER | |
| AT&T Legal Department Attn: Patent Docketing Room 2A-207 One AT&T Way Bedminster, NJ 07921 | | | SHEDRICK, CHARLES TERRELL | |
| | | | ART UNIT | PAPER NUMBER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/713,939

Applicant(s)

ZELLNER, SAMUEL

Examiner

CHARLES SHEDRICK

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6,8,9,11-19 and 21-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,8,9,11-19 and 21-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/808)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/17/08 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 2, 4-6, 8-9, 11-13, 15-16, 18-19 and 21-23 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-2,4-6,8-9, 11-19, and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mun et al. US Patent Pub. No. 2003/0022659 A1, hereinafter, “Mun” in view of Hwang US Patent. Pub. No.: 2003/0092432 as modified Latter et al. US Patent No.: 6,341,161, hereinafter, “Latter” and further modified by Lee et al., US patent Pub. No.: 2002/0172338 A1

Consider **claims 1,8 and 15**, Mun teaches a Method, A storage medium including machine readable computer program code, and a System for transmitting enhanced originator information over a communication network (**i.e., see at least abstract regarding Caller ID information**) comprising: retrieving a service profile for a recipient terminal from a service profile database (**i.e., HLR, VLR, or storage system within the MSC**) in response to initiation of a communication by an originator terminal to the recipient terminal (**i.e., see at least paragraphs 0031-0033, figure 5 and claim 10**); the service profile retrieved using a recipient terminal address in the communication initiation (**i.e., see at least paragraphs 0031-0033, figure 5 and claim 10**), the service profile specifying a service plan and terminal capability of the recipient terminal and terminal capability of the recipient terminal to retrieve the enhanced originator information from the originator terminal (**i.e., see at least paragraphs 0031-0033, figure 5 and claim 10**); processing the service profile to determine types of information elements that the recipient terminal receives to make an enhanced originator identification of the originator terminal (**i.e., see at least paragraphs 0031-0033, figure 5 and claim 10**); selecting all information elements by retrieving all information elements from a network database by retrieving information elements associated with the originator terminal from a network database (**i.e., see at least paragraphs 0034-0035 and figures 6 and 7**), the retrieving based upon at least one of the service plan and terminal capability of the recipient terminal (**i.e., see at least**

paragraphs 0031-0035 and figures 6 and 7);and transmitting a communication including said information elements to the recipient terminal prior to establishing a communication session with the recipient terminal (**i.e., see at least figures 5-8 and claims 1,8, and 16**) the presentation of the communication of the recipient terminal by screening the information elements in the communication based upon at least one of the content and format of the information elements (**i.e., users register PCID registration mode beforehand and can use still image, characters, or moving pictures. see at least paragraph 0024,0028-0029**), the screening performed based upon criteria configured by a user of the recipient terminal (**i.e., users register PCID registration mode beforehand and can use still image, characters, or moving pictures**)(**i.e., see at least paragraph 0024,0028-0029**) (**i.e., the Applicant is respectfully reminded that the CID and PCID could read on the multiple information elements**)(**e.g., see at least paragraphs 0031 -0032**),

However, Mun does not specifically disclose wherein the information elements include advertising material.

In analogous art, Hwang teaches information elements from a network database wherein the information elements include advertising material (**e.g., see paragraph 0029, figures and abstract**).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Mun to include wherein the information elements include advertising material for the purpose of proving caller id including an advertisement.

However, Mun as modified by Hwang does not specifically teach the screening including preventing an incoming call, in which a caller has blocked information, from the recipient terminal; and forwarding a call.

In analogous art, Latter teaches the screening including preventing an incoming call, in which a caller has blocked information, from the recipient terminal; and forwarding a call (e.g., **see at least abstract and col. 2 lines 25-59**).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Mun as modified Hwang to include the screening including preventing an incoming call, in which a caller has blocked information, from the recipient terminal; and forwarding a call as taught by Latter for tailored announcements and notifications.

However, Mun as modified Hwang and further modified by Latter does not specifically include multiple information elements and video files (e.g., **video. with the exception that the CID and PCID in combination may be interpreted as multiple information elements**).

In analogous art, Lee teaches multiple information elements and video files (i.e., **multimedia audio and video**)(e.g., **see at least abstract paragraph 0005 and 0017-0018**).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Mun as modified by Hwang as modified by Latter to include multiple information elements and video files for the purpose of improving CID as taught by Lee. Mun, Hwang, Latter and Lee are at least directed towards the improvements and enhancements of CID.

Consider **claims 2, 9 and 16 and as applied to claims 1, 8, and 15** above, Mun as modified by Hwang as modified by Latter and further modified by Lee teaches wherein the

terminal capability relates to at least one of a: terminal device type including at least one of: a personal computer, a network computer, a wireless mobile telephone, a wireless mobile computer device, a facsimile, a network appliance, and a wire-line telephone, and terminal device technology features including at least one of: binary-based caller-identification feature; and graphical features (**i.e., see at least abstract and paragraph 0008**).

Consider **claims 4, 11 and 18 and as applied to claims 1, 8, and 15 above**, Mun as modified by Hwang as modified by Latter and further modified by Lee teaches wherein the communication comprises at least one of: Voice; Data; Video; Messaging; Instant Messaging; and Paging (**i.e., see at least abstract and paragraph 0008**).

Consider **claims 5 and 12 and as applied to claims 1 and 8 above**, Mun as modified by Hwang as modified by Latter and further modified by Lee teaches wherein the communication including the multiple information elements are generated by said communications network(e.g., this is interpreted as at least CID and the PCID) (**i.e., see at least abstract and paragraph 0008**).

Consider **claims 6, 13 and 19 and as applied to claims 1, 8, and 15 above**, Mun as modified by Hwang as modified by Latter and further modified by Lee teaches wherein the communication network includes at least one of: a circuit-switched network; a packet-switched network; a wireless network; an asynchronous transfer mode network; and a Multi-protocol Label Switching (MPLS) network(**i.e., see at least paragraph 0008**).

Consider **claims 7 and 14 and as applied to claims 1 and 8 above**, Mun as modified by Hwang as modified by Latter and further modified by Lee teaches wherein the service plans (**i.e., subscriber data**) are stored in a service profile database (**i.e., see at least paragraphs 0034-**

0035 and figures 6 and 7), the plans stored in a dual format operable for accommodating both graphically-enabled caller identification devices and caller identification devices that are not graphically enabled (i.e., see at least paragraphs 0031-0035 and figures 6 and 7).

Consider claims 21, 22 and 23 and as applied to claims 1, 8, and 15 above, Mun as modified by Hwang as modified by Latter and further modified by Lee teaches wherein the transmitting is conducted over at least one of : an IP network, a PSTN, peer to peer, a WLAN, a wireless network, a cable network a fiber optic network, a video network, and a satellite network(i.e., see at least figures 5-8 and claims 1,8, and 16).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHARLES SHEDRICK whose telephone number is (571)272-8621. The examiner can normally be reached on Monday thru Friday 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571)-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from

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800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Charles Shedrick/
Examiner, Art Unit 2617

*/Lester Kincaid/
Supervisory Patent Examiner, Art Unit 2617*